

- Privilege Log Document Numbers 2, 5, 10, 11, 15, 17 through 20, and 22 are protected by the deliberative process privilege and, because

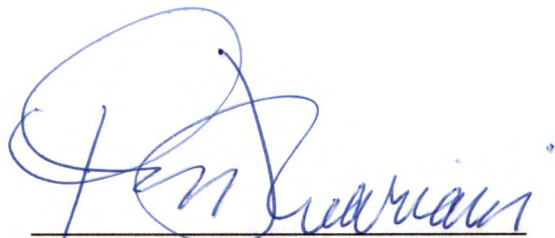
the need for disclosure does not outweigh the need for confidentiality,
the protected material in these Document Numbers is not
discoverable.

3. The Motion is **GRANTED** insofar as

- Privilege Log Document Numbers 1, 6, 7, 14, 23, 29, 32, 33, and 35 are not protected by the attorney-client privilege or the deliberative process privilege and must be disclosed;
- Document Numbers 3, 4, 8, 9, 12, 13, 16, and 21 are protected by the deliberative process privilege, but the need for disclosure of material identified therein outweighs Defendant's interest in nondisclosure, and, therefore, specifically identified material in these documents must be disclosed.

4. Defendant shall produce the required material within **seven (7) days** of the date of this Order.

5. The parties shall meet and confer about the protection of the confidential information contained in Document Number 7 and report to the Court within **seven (7) days** of the date of this Order if they are unable to reach agreement on this matter.



Robert D. Mariani
United States District Judge